

Box-5eq  
A

PATENT  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 98,365-B1)

In the Application of:

Kathleen E. Rodgers, et al.

Art Unit: To be assigned

Serial No.: To be assigned

Examiner: To be assigned

Filed: Herewith

For: **METHODS FOR ACCELERATING  
BONE, CARTILAGE AND  
CONNECTIVE TISSUE GROWTH**

Asst. Commissioner for Patents  
BOX: New Application  
Washington, D.C. 20231-9999

TRANSMITTAL LETTER

1. We are transmitting herewith the attached papers for the above identified new patent application:

- ☒ Utility Patent Application Transmittal Cover (2 Sheets, in duplicate)
- ☒ Specification, including claims and abstract (61 sheets)
- ☒ Drawings (4 Figures)
- ☒ Copy of prior application Power of Attorney ( 3 sheets)
- ☒ Preliminary Amendment (6 sheets)
- ☒ Sequence Listing paper copy and computer readable form (15 sheets and diskette)
- ☒ Submission of Sequence Listing Statement (1 sheet)
- ☒ Return receipt postcard

2. With respect to fees:


☒ Please find a check in the amount of \$598.00 covering the Application Filing Fee.

3. **GENERAL AUTHORIZATION TO CHARGE OR CREDIT FEES:** Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

4. **CERTIFICATE OF MAILING BY "EXPRESS MAIL" UNDER 37 CFR § 1.10:** The undersigned hereby certifies that this Transmittal Letter and the papers, as described hereinabove, are being deposited with the United States Postal Service with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to: Asst. Commissioner for Patents, Box NEW APPLICATION, Washington, D.C. 20231, on this 30th day of January, 2001.

Express Mail No. EL602859399US

By:

  
David S. Harper  
Reg. No. 42,636

01-31-01

## UTILITY PATENT APPLICATION TRANSMITTAL

Submit an original and a duplicate for fee processing  
(Only for new nonprovisional applications under 37 CFR 1.53(b))

## ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

Attorney Docket No. 98,365-B1

First Named Inventor Rodgers, et al.

Express Mail No. EL602859399US

11000 U.S. PTO  
09/772819  
01/30/01

## APPLICATION ELEMENTS

1. ☒ Transmittal Form with Fee
2. ☒ Specification (including claims and abstract) [Total Pages 61]
3. ☒ Drawings [Total Sheets 4]
4. ☒ Oath or Declaration [Total Pages 3]
  - a. ☐ Newly executed
  - b. ☒ Copy from prior application  
[Note Boxes 5 and 18 below]
    - i. ☐ Deletion of Inventor(s) Signed statement attached deleting inventor(s) named in the prior application
5. ☒ Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Computer Code Listing (See 1.96)
  - a. ☐ Microfiche Appendix
  - b. ☐ CD-Rom (in duplicate, with separate transmittal)
7. ☒ Nucleotide and/or Amino Acid Sequence Submission
  - a. ☒ Computer Readable Copy
  - b. ☒ Paper Copy
  - c. ☒ Statement verifying above copies
8. ☒ Small Entity Status
  - ☒ is claimed
  - ☐ Statement filed in prior application; status still proper and desired
  - ☐ is no longer claimed.

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers
10. ☒ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)
  - ☐ PTO-1449 Form
  - ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
16. ☐ A Request for non-publication pursuant to 35 USC 122(b)(2)(B)(i)
17. ☐ Other:

18. ☒ This is a CONTINUING APPLICATION. Please note the following:

- a. ☒ This is a ☒ Continuation ☐ Divisional ☐ Continuation-in-part of prior application 09/352,191, Filed July 12, 1999.
- b. ☒ Cancel in this application original claims 1-48 of the prior application before calculating the filing fee. (At least one claim must remain.)
- c. ☒ Amend the specification by inserting before the first line the sentence:  
This is a ☒ continuation ☐ divisional ☐ continuation-in-part of application Serial No. 09/352,191, Filed July 12, 1999.
- d. ☒ The prior application is assigned of record to The University of Southern California.

## UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No. 98,365-B

APPLICATION FEES				
BASIC FEE				\$ 710.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	32 -20=	12	x \$18.00	\$ 216.00
Independent Claims	1 - 3=	0	x \$80.00	\$
<input type="checkbox"/> Multiple Dependent Claims(s) if applicable			+ \$270.00	\$ 270.00
Total of above calculations =				\$ 1196.00
Reduction by 50% for filing by small entity =				\$(598.00)
<input type="checkbox"/> Assignment fee if applicable			+ \$40.00	\$
TOTAL =				\$ 598.00

19. ☐ Please charge my Deposit Account No. 13-2490 in the amount of \$20. ☒ A check in the amount of \$598.00 is enclosed.

21. The Commissioner is hereby authorized to credit overpayments or charge any additional fees of the following types to Deposit Account No. 13-2490:

- a. ☒ Fees required under 37 CFR 1.16.
- b. ☒ Fees required under 37 CFR 1.17.
- c. ☒ Fees required under 37 CFR 1.18.

22. The Commissioner is hereby generally authorized under 37 CFR 1.136(a)(3) to treat any future reply in this or any related application filed pursuant to 37 CFR 1.53 requiring an extension of time as incorporating a request therefor, and the Commissioner is hereby specifically authorized to charge Deposit Account No. 13-2490 for any fee that may be due in connection with such a request for an extension of time.

## 23. CERTIFICATE OF MAILING

I hereby certify that, under 37 CFR § 1.10, I directed that the correspondence identified above be deposited with the United States Postal Service as "Express Mail Post Office to Addressee," addressed to the Asst. Commissioner for Patents, Box Patent Application, Washington, DC 20231, on the date indicated below.

## 24. USPTO CUSTOMER NUMBER



20306

PATENT TRADEMARK OFFICE

McDonnell Boehnen Hulbert &amp; Berghoff

## 25. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name	David S. Harper
Reg. No.	42,636
Signature	
Date	January 30, 2001

UTIL (Rev. 11/21/00)